

ALAMEDA COUNTY CONGESTION MANAGEMENT AGENCY

1333 BROADWAY, SUITE 220 • OAKLAND, CA 94612 • PHONE: (510) 836-2560 • FAX: (510) 836-2185
E-MAIL: mail@accma.ca.gov • WEB SITE: accma.ca.gov

CMA Board

meeting as a committee of the whole as the

ADMINISTRATION & LEGISLATION COMMITTEE

MEETING NOTICE

AC Transit
Director
Greg Harper

Alameda County
Supervisors
Nate Miley
Scott Haggerty

City of Alameda
Mayor
Beverly Johnson
Vice Chair

City of Albany
Councilmember
Farid Javandel

BART
Director
Thomas Blalock

City of Berkeley
Councilmember
Kriss Worthington

City of Dublin
Mayor
Tim Sbranti

City of Emeryville
Vice-Mayor
Ruth Atkin

City of Fremont
Councilmember
Robert Wieckowski

City of Hayward
Councilmember
Olden Henson

City of Livermore
Mayor
Marshall Kamena

City of Newark
Councilmember
Luis Freitas

City of Oakland
Councilmember
Larry Reid

City of Piedmont
Councilmember
John Chiang

City of Pleasanton
Mayor
Jennifer Hosterman

City of San Leandro
Councilmember
Joyce R. Starosciak

City of Union City
Mayor
Mark Green
Chair

Executive Director
Dennis R. Fay

Monday, July 13, 2009; 11 a.m.
CMA Committee Meeting Room
1333 Broadway, Suite 220
Oakland, California 94612

Members:

Chair: Mayor Mark Green
Vice Chair: AC Transit Director Greg Harper
Supervisor Scott Haggerty
Councilmember John Chiang
Councilmember Farid Javandel
Mayor Marshall Kamena
Mayor Tim Sbranti
Supervisor Nate Miley
Councilmember Larry Reid
Councilmember Kriss Worthington

Staff Liaison: G. Richard Swanson
Secretary: Gladys V. Parmelee

AGENDA

*Copies of Individual Agenda Items are Available on the CMA's Website:
<http://www.accma.ca.gov/pages/Posting.aspx?Posting=3>*

1.0 PLEDGE OF ALLEGIANCE

2.0 PUBLIC COMMENT

Members of the public may address the Committee during "Public Comment" on any item not on the agenda. Public comment on an agenda item will be heard when that item is before the Committee. Anyone wishing to comment should make his or her desire known to the Chair.

3.0 CONSENT CALENDAR

Approval

- 3.1 Minutes of June 8, 2009 Meeting* (page 1)
- 3.2 Quarterly Investment Report* (page 7)
- 3.3 Quarterly SBE, LBE, and DBE Report* (page 9)

4.0 ADMINISTRATIVE MATTERS

4.1 Administrative IT Services: Discussion/Action

Authorization to Award Contract* (page 15)

In order to ensure that the CMA was procuring IT support services at a competitive price, on January 12, 2009 the CMA issued a formal Request for Proposals for Administrative IT Services (RFP A08-029). It is recommended that the Board authorize the Executive Director to approve a contract with Novani, LLC to provide Administrative IT Services to the CMA.

4.2 Executive Director's Salary and Benefits for 2009-10* (page 17) Discussion/Action

The employment agreement with the Executive Director states that the CMA will consider annual adjustments to salary and benefits. The attached memo provides a salary recommendation from the Board Chair, Vice Chair, and past Chair and a self-evaluation by the Executive Director as required by contract. It is recommended that the Committee forward a salary recommendation to the Board.

4.3 Executive Director's Performance Objectives for Fiscal Year 2009-10* (page 21) Discussion/Action

The employment agreement with the Executive Director requires annual objectives for the upcoming year. The attached material provides draft performance objectives for fiscal year 2009-2010. The Committee is requested to make a recommendation to the Board relative to performance objectives for fiscal year 2009-2010.

4.4 Altamont Commuter Express (ACE) Proposed Revised Schedule* (page 23) Information

This is an information item. At its June 26, 2009 meeting the San Joaquin Regional Rail Commission (SJRRRC) approved schedule change for ACE trains to be effective October 26, 2009. The schedule change eliminated the midday trains and replaced them with 2 additional peak hour trains.

4.5 ARRA Funding Resolution* (page 29) Discussion/Action

It is recommended that the Board adopt Resolution 09-06, a Resolution of Local Support for \$7.5 million in funding from the federal American Recovery and Reinvestment Act (ARRA) for the I-580 EB High Occupancy Toll (HOT) Lane. The resolution is required by MTC for all recipients of ARRA funding.

5.0 CONTRACTS, AGREEMENTS & CONSTRUCTION STATUS REPORTS

5.1 Route 84/ Ardenwood Boulevard Park and Ride Lot Project Discussion/Action (Regional Measure 2 Project 29.5) Quarterly Construction Status Report* (page 31)

The CMA's adopted Construction Administration Guide requires that a quarterly construction status report be provided to the Administration and Legislation Committee. It is recommended that the Committee review and approve the attached Quarterly Construction Status Report for activities through June 30, 2009.

5.2 Resolution of Local Support for the East Bay BRT Corridor Enhancement Project* (page 35) Discussion/Action

It is recommended that the Board adopt the attached Resolution 09-07 to MTC documenting local support for the CMA sponsored East Bay Bus Rapid Transit Capital Enhancement Project.

5.3 I-80 Integrated Corridor Mobility (ICM): Discussion/Action
Approval to Advertise for a Construction Contract and
Authority to Negotiate Construction Management Services* (page 39)

The CMA is the lead agency for the I-80 ICM project which is funded through various Federal, State & Local fund sources. To expedite delivery, the I-80 ICM project has been separated into six sub-projects. It is recommended that the CMA Board take the following actions:

1. Authorize the Executive Director, or his designee, to advertise and request bids for the construction of the I-80 ICM Traffic Operations Systems (TOS) Project #3. Award of this contract is scheduled for action by the Board in October. The Engineer's Estimate for the construction phase is \$2,144,000;
2. Authorize the Executive Director, or his designee, to negotiate and execute a contract to provide construction management services for the I-80 ICM Traffic Operations Systems (TOS) Project #3 and for the Traffic Light Synchronization Program (TLSP) Project #6 not to exceed \$2.4 million.

5.4 Grand MacArthur Corridor Transit Enhancements Project: Discussion/Action
Construction Status Report* (page 41)

The CMA's adopted Construction Administration Guide requires that a quarterly construction status report be provided to the Administration and Legislation Committee. It is recommended that the Board review and approve the attached Construction Contract Progress Report for activities through June 30, 2009.

5.5 San Pablo Rapid Bus Stop Improvements Project: Discussion/Action
Construction Status Report* (page 47)

The CMA's adopted Construction Administration Guide requires that a quarterly construction status report be provided to the Administration and Legislation Committee. It is recommended that the Board review and approve the attached Construction Contract Progress Report for activities through June 30, 2009.

6.0 LEGISLATION/PUBLIC AFFAIRS

6.1 Sacramento Report* (page 57) Information/Discussion

A report from the CMA's Sacramento representative is attached.

6.2 Washington, DC Report* (page 67) Information/Discussion

A report from the CMA's Washington, DC representative is attached.

6.3 AB 338 (Ma): Transit Villages/Tax Increment Financing* (page 71) Discussion/Action

This bill would allow cities and counties to use tax increment financing for public facilities within a transit village. The bill would also expand the boundaries of a transit village to ½ mile. See attached MTC analysis of the bill. MTC is seeking an amendment to add language to the bill that would declare legislative intent that at least 10 percent of the units in the townhomes within half a mile of a transit station be habitable by persons with disabilities and provide an accessible route from within the housing units to the entrance and to the station for persons with disabilities. It is recommended that the CMA support this bill and seek the amendment suggested by MTC.

**6.4 AB 1186 (Blumenfield)/SB 728 (Lowenthal):
Parking Cash-out* (page 83)**

Discussion/Action

These bills would strengthen the existing parking cash-out laws by requiring leases entered into after January 1, 2011 to list parking costs associated with the lease as a separate line item and to afford local jurisdictions the authority to establish a penalty to ensure compliance with the parking cash-out law. See attached MTC analysis of the bill. It is recommended that the CMA support these bills.

**6.5 AB 425 (Simitian): Small Business Trip Reduction Tax
Deduction/Parking Cash-out Enforcement* (page 91)**

Discussion/Action

This bill would authorize employers with 20 or fewer employees to claim a tax deduction for up to 80% of the cost associated with alternative commute modes. The bill also provides a tool to help enforce the parking cash-out law by prohibiting an employer from claiming a tax deduction for parking subsidies unless the employer complies with the law. See attached MTC analysis of the bill. The bill needs to be amended to make it clear that it applies to all transit not just those operators offering monthly passes. Strictly read the bill could prohibit an employer that offers BART tickets from claiming the tax deduction, since BART does not offer monthly passes. It is recommended that the CMA support and seek an amendment to correct this apparent oversight.

6.6 AB 628 (Block): "Pay-by-Plate" Toll Collection* (page 101)

Discussion/Action

This bill would authorize California drivers to pay electronic tolls via license plate. While electronic toll collection is used throughout the State with FasTrak, California law does not permit collection of tolls using license plate reads. See attached MTC analysis of the bill. It is recommended that the CMA support this bill.

7.0 STAFF AND COMMITTEE MEMBER REPORTS

8.0 ADJOURNMENT/NEXT MEETING: SEPTEMBER 14, 2009

- * Attachment enclosed for members and key staff.
- ** Verbal presentation will be made or materials will be available at the meeting.
- (#) All items on the agenda are subject to action and/or change by the Committee.
- ✓ Materials are separately attached to the meeting packet.

*PLEASE DO NOT WEAR SCENTED PRODUCTS SO INDIVIDUALS WITH
ENVIRONMENTAL SENSITIVITIES MAY ATTEND*

Glossary of Acronyms

ABAG	Association of Bay Area Governments	MTC	Metropolitan Transportation Commission
ACCMA	Alameda County Congestion Management Agency	MTS	Metropolitan Transportation System
ACE	Altamont Commuter Express	NEPA	National Environmental Policy Act
ACTA	Alameda County Transportation Authority (1986 Measure B authority)	NOP	Notice of Preparation
ACTAC	Alameda County Technical Advisory Committee	PCI	Pavement Condition Index
ACTIA	Alameda County Transportation Improvement Authority (2000 Measure B authority)	PSR	Project Study Report
ADA	Americans with Disabilities Act	RM 2	Regional Measure 2 (Bridge toll)
BAAQMD	Bay Area Air Quality Management District	RTIP	Regional Transportation Improvement Program
BART	Bay Area Rapid Transit District	RTP	Regional Transportation Plan (MTC's <i>Transportation 2035</i>)
BRT	Bus Rapid Transit	SAFETEA-LU	Safe, Accountable, Flexible, Efficient Transportation Equity Act
Caltrans	California Department of Transportation	SR	State Route
CEQA	California Environmental Quality Act	STA	State Transit Assistance
CIP	Capital Investment Program	STIP	State Transportation Improvement Program
CMAQ	Federal Congestion Mitigation and Air Quality	STP	Federal Surface Transportation Program
CMP	Congestion Management Program	TCM	Transportation Control Measures
CTC	California Transportation Commission	TCRP	Transportation Congestion Relief Program
EIR	Environmental Impact Report	TDA	Transportation Development Act
FHWA	Federal Highway Administration	TDM	Travel-Demand Management
FTA	Federal Transit Administration	TFCA	Transportation Fund for Clean Air
HOT	High occupancy toll	TIP	Federal Transportation Improvement Program
HOV	High occupancy vehicle	TLC	Transportation for Livable Communities
ITIP	State Interregional Transportation Improvement Program	TMP	Traffic Management Plan
LATIP	Local Area Transportation Improvement Program	TMS	Transportation Management System
LAVTA	Livermore-Amador Valley Transportation Authority	TOD	Transit-Oriented Development
LOS	Level of service	TOS	Transportation Operations Systems
		TVTC	Tri Valley Transportation Committee
		VHD	Vehicle Hours of Delay
		VMT	Vehicle miles traveled



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Public Transportation Access

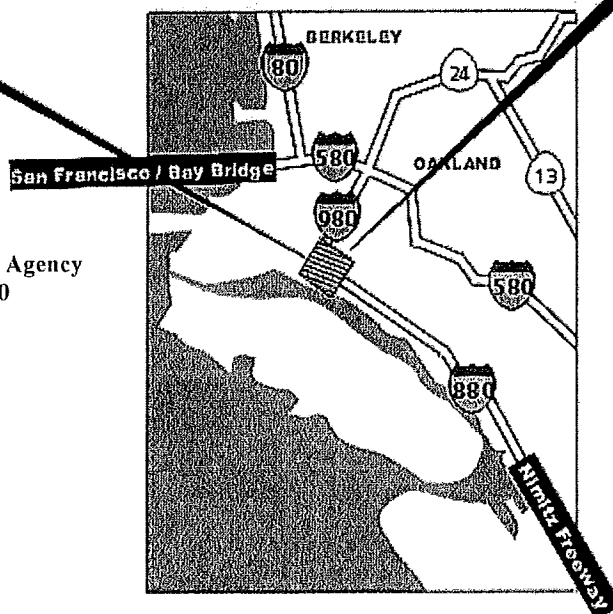
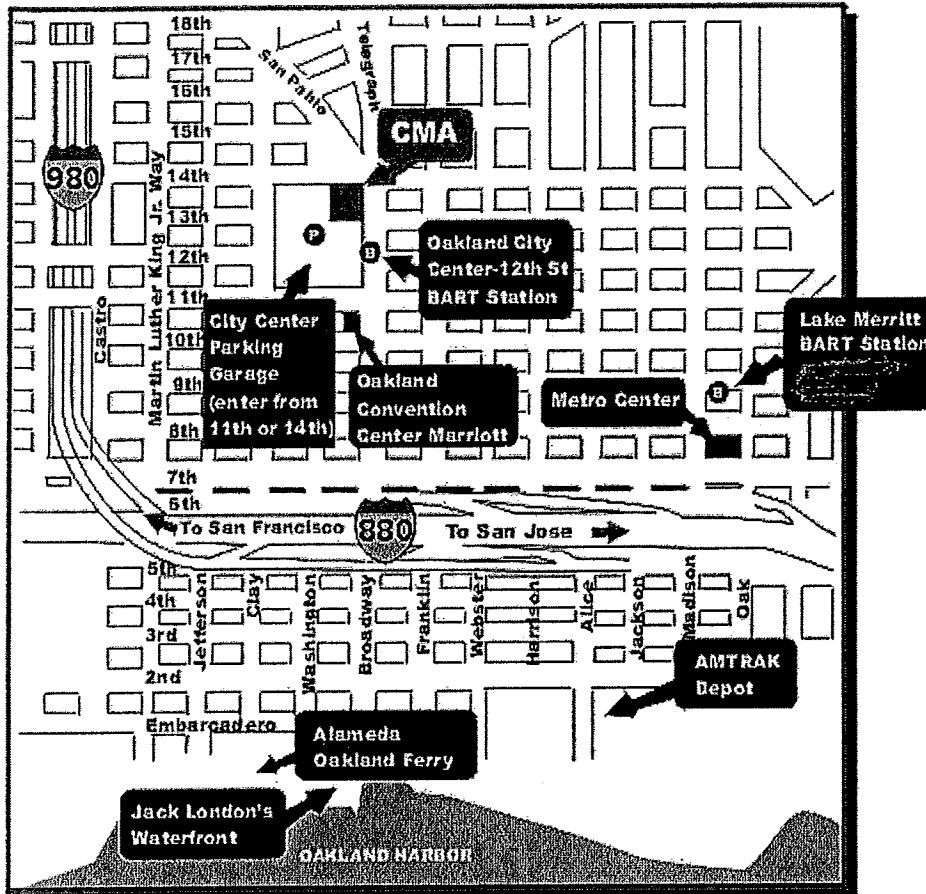
BART: City/Center 12th
Street Station

AC Transit:

Lines 1,1R, 11, 12, 13, 14,
15, 18, 40, 51, 63, 72, 72M,
72R, 314, 800, 801, 802,
805, 840

Auto Access

- Traveling South: Take 11th
Street exit from I-980 to
11th Street
- Traveling North: Take 11th
Street/Convention Center
Exit from I-980 to 11th
Street
- Parking:
City Center Garage –
Underground Parking,
enter from 11th or 14th
Street



Alameda County
Congestion Management Agency
1333 Broadway, Suite 220
Oakland, CA 94612